

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

LEON M. WILSON

PLAINTIFF

VS.

CIVIL ACTION NO. 3:07CV98-HTW-LRA

L-3 COMMUNICATIONS VERTEX AEROSPACE, LLC

DEFENDANT

AGREED ORDER GRANTING DEFENDANT’S MOTION TO TRANSFER VENUE

This cause is before the Court on the motion of Defendant L-3 Communications Vertex Aerospace, LLC (“L-3”), pursuant to Fed. R. Civ. P. 12(b)(3), to dismiss Plaintiff’s Complaint because venue is improper in this Court, or alternatively, to transfer this cause to the United States District Court for the Western District of Oklahoma, which Defendant claims is the only proper venue and the most convenient venue. The Court, being advised in the premises, and finding that Plaintiff has no objection to the transfer of this case to the United States District Court for the Western District of Oklahoma, finds that this case should be transferred to the United States District Court for the Western District of Oklahoma.

Title VII of the Civil Rights Act of 1964 contains a special venue provision that requires Title VII claims to be filed in the district: (1) in which the unlawful employment practice is alleged to have been committed; (2) where the relevant employment records are maintained and administered; or (3) in which the aggrieved person would have worked but for the alleged unlawful employment practice. 42 U.S.C.A. § 2000e-5(f)(3). If, and only if, the respondent is not found in any such district, an action may be brought in the district where the respondent has his principal office. 42 U.S.C.A. § 2000e-5(f)(3).

In this case, the purported unlawful employment practice was alleged to have been committed in Tikrit, Iraq, the relevant employment records are maintained and administered in Oklahoma City, Oklahoma, and Wilson would have worked in Tikrit, Iraq, but for the alleged unlawful employment practice. Because L-3 can be found in Oklahoma City and because that is where the relevant employment records are maintained and administered, Oklahoma City is the proper venue for this action.

THEREFORE, IT IS ORDERED, that this case shall be transferred by the Clerk of the United States District Court for the Southern District of Mississippi to the United States District Court for the Western District of Oklahoma.

IT IS FURTHER ORDERED that the Motion to Dismiss is denied and the Motion to Stay is denied as moot.

SO ORDERED, this, the 29th day of June, 2007.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

AGREED TO AND
APPROVED BY:

S/ PAULA GRAVES ARDELEAN
COUNSEL FOR DEFENDANT

S/ NICK NORRIS
COUNSEL FOR PLAINTIFF

Civil Action No. 3:07CV98-HTW-LRA